ANORDINANCE BY Clata Minston 01-0-0340

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR THE PROVISION OF TELECOMMUNICATIONS SERVICES USING PUBLIC RIGHT-OF-WAY; AND FOR OTHER PURPOSES

WHEREAS, Level 3 Communications, LLC, has entered into a franchise to provide telecommunications services on, under, over and through the public right-of-way of the City; and

WHEREAS, Level 3 Communications, LLC, has negotiated a franchise agreement with the City which provides such access and preserves the rights of the City until such time as a comprehensive ordinance is enacted;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA HEREBY ORDAINS:

<u>SECTION 1:</u> That the Mayor be and is hereby authorized to execute a franchise agreement with Level 3 Communications, LLC, for use of the public right-of-way for telecommunications purposes.

SECTION 2: That such franchise agreement shall expire and terminate on March 31, 2006.

SECTION 3: That Level 3 Communications, LLC, shall pay an appropriate franchise fee.

SECTION 4: That the City Attorney shall prepare a franchise agreement document, which shall be approved by the city Attorney as to form.

SECTION 5: That said franchise agreement shall not be binding on the City until approved by the Mayor and delivered to Level 3 Communications, LLC.

| | | First Reading | FINAL COUNCIL ACTION |
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| (Do Not Write Above This Line) | Date Chair Referred to | | □2nd □1st & 2nd □3rd Readings |
| AN ORDINANCE | Committee | Committee | □Consent □V Vote □RC Vote |
| BY a conduct of | Date | Date | CERTIFIED |
| AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT WITH LEVEL | Chair | Chair | |
| | Action: Fav, Adv, Hold (see rev. side) Other: | Action: Fav, Adv, Hold (see rev. side) Other: | |
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| CONSENT REFER REGULAR REPORT REFER ADVERTISE & REFER | Chair | Chair | |
| \ | Action: Fav, Adv, Hold (see rev. side) | Action: Fav, Adv, Hold (see rev. side) | MAYOR'S ACTION |
| Date Referred 2/19/01 | Other: | Other: | |
| Referred To: City Utilities | Members | Members | |
| Date Referred | | | |
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